

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ AUG 05 2005 ★

-----X
BROOKLYN OFFICE

JOSEPH MANAGO,

Plaintiff,

- against -

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

-----X

ORDER

Civil Action No. CV-03-2977

(Weinstein, J.)
(Mann, M.J.)

IT IS HEREBY ORDERED that, having considered the application for relief dated May 27, 2005 submitted by Plaintiff, Joseph Manago, Plaintiff's motion for an order directing Defendant, the Commissioner of Social Security, to recalculate his disability insurance benefits is denied without prejudice to any relief that Plaintiff may seek after he has exhausted administrative remedies and obtained a final decision of the Commissioner of Social Security as required by 42 U.S.C. § 405(g), and that Plaintiff's application for relief is denied in all other respects; and

IT IS FURTHER ORDERED that, Plaintiff having withdrawn his objections at the hearing held on July 27, 2005, the motion by Plaintiff's former counsel for attorney fees pursuant to 42 U.S.C. § 406(b) is hereby granted, and the Commissioner of Social Security is directed to pay Mark Keller, Abramson & Keller, 60-08 Woodside Avenue, Woodside, New York 11377, the sum of Nine Thousand Seven Dollars and Thirty-Nine Cents (\$9,007.39) from Plaintiff's past-due disability insurance benefits in full satisfaction for all claims for attorney fees, and to release to Plaintiff any remaining past-due benefits being withheld for attorney fee



claims.

SO ORDERED:

Honorable Jack B. Weinstein
United States District Judge

7/28/05